



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,158	06/27/2001	Anni Rosa Coden	YOR920010096US1	3829

7590 11/02/2004

Harry F. Smith, Esq.
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
10th Floor
One Landmark Square
Stamford, CT 06901-2682

EXAMINER

LUDWIG, MATTHEW J

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,158

Applicant(s)

CODEN ET AL.

Examiner

Matthew J. Ludwig

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,6,12,14,16 and 17 is/are rejected.
- 7) ☒ Claim(s) 2,4,7-11,13,15 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Application filed 06/27/01.
2. Claims 1-20 are pending in the case. Claims 1 and 12 are independent claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

In reference to dependent claim 8, the term "about" in claim 8 is a relative term which renders the claim indefinite. The term "about" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably aware of the scope of the invention.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1, 3, 5, 6, 12, 14, 16, and 17, are rejected under 35 U.S.C. 103(a) as being unpatentable over David C. Gibbon 'Automated Authoring of Hypermedia Documents of Video Programs', ACM Multimedia 1995, pages 1-12.**

Art Unit: 2178

In reference to independent claim 1, Gibbon teaches:

The generation of the dictionary of words and phrases that are always capitalized, and the statistical analysis required to generate the likelihood of capitalization are performed using the Associated Press newswire. The use of AP newswire for the corpus-based analysis is most appropriate for the processing of closed caption text obtained from television news programs. Another step in the processing of text is *the extraction of keywords and key phrases from the text* for use in intelligent and selective retrieval of the program contents. The capitalized words are *good initial candidates* for generating an index into the document. See Gibbon, page 8 of 12. The reference provides a method of indicating key phrases and keywords from the text. Furthermore, the reference does not disclose a singleton and phrase dictionary; however the extraction means taught by Gibbon provides a similar method to both the singleton and phrase dictionary. The reference teaches dictionaries augmented by words and phrases of interest that may not appear in capitalized form. Gibbon suggests the utilization of multiple dictionaries employed in a similar fashion as the claimed limitations. Therefore, it would have been obvious to name the dictionaries utilized by Gibbon based on the determination of a key phrase or a key term, because the naming convention would have provided the user with two distinct dictionaries for advantageously processing capitalized text. Additional rules are applied to eliminate capitalized words that do not qualify as keywords and to generate separate dictionaries. The reference points to rules applied to the text, which provide a similar testing means disclosed within the limitations of the claims. Furthermore, the reference points to 'good initial candidates' for generating an index into the document. Because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the suggestion of positive

Art Unit: 2178

candidates suggests a similar means as the candidate phrase within the limitations of the claim and would have given the author the added benefit of having specific terms for retrieval and capitalization.

In reference to dependent claim 3, Gibbon teaches:

The second source is a dictionary of words that are always capitalized. The third source gives the likelihood of capitalization for ambiguous cases. Additional rules are applied to eliminate capitalized words that do not qualify as keywords and to generate separate dictionaries. See Gibbon, page 8 of 12. The reference suggests options for phrases based on the discovery of phrases within distinct dictionaries.

In reference to dependent claim 5, Gibbon teaches:

The information is extracted from a large corpus. The dictionary needs to be updated on a regular basis to ensure the inclusion of new names and phrases. See Gibbon, page 8 of 12. The reference suggests an updating means for dictionaries based on the located keywords and phrases.

In reference to dependent claim 6, Gibbon teaches:

The first source is a set of deterministic rules that perform the capitalization of beginning of sentences, and certain abbreviations. The second source is a dictionary of words that are always capitalized. The third source gives the likelihood of capitalization for ambiguous cases. The reference provides a reasonable suggestion of capitalizing words found in mandatory capitalization positions, words that may be abbreviations, and words that may consist of titles. See Gibbon, page 8 of 12.

Art Unit: 2178

In reference to claims 12, 14, 16, and 17, the limitations recite the system comprising computer readable instructions used for performing the methods as claimed in claims 1, 3, 5, 6, respectively, and in further view of the following, are rejected under similar rationale.

Allowable Subject Matter

7. Claims 2, 4, 7, 8-11, 13, 15, and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rayson et al.,	USPN 5,761,689	filed (09/01/94)
----------------	----------------	------------------

Li et al.,	USPN 6,012,088	filed (12/10/96)
------------	----------------	------------------

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043.


The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 703-308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
October 15, 2004



JOSEPH M. P. [unclear]
SUPERVISORY PATENT EXAMINER